



Docket No.: APT-0006
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Takaaki HIRAI et al.

Confirmation No.: 6366

Application No.: 09/856,468

Art Unit: 1771

Filed: June 7, 2001

Examiner: Victor S. Chang

For: PRE-EXPANDED PARTICLES OF CRYSTALLINE
AROMATIC POLYESTER-BASED RESIN, AND IN
MOLD EXPANDED PRODUCT AND EXPANDED
LAMINATE USING THE SAME

DECLARATION UNDER 37 C.F.R. 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Takaaki HIRAI, being duly warned, hereby declare and say:

1. I am the inventor of the Japanese patent application No. JP 6-320627 filed on December 22, 1994, whose invention title is "molded foam article of crystalline aromatic polyester-based resin, pre-expanded particles of crystalline aromatic polyester-based resin and production method of molded foam article of crystalline aromatic polyester-based resin using the pre-expanded particles of crystalline aromatic polyester-based resin", and whose Japanese Laid-Open Patent Publication No. is 8-174590, and that I am the inventor of the U.S. patent application No. 09/856,468, whose invention title is "pre-expanded particles of crystalline aromatic polyester-based resin, and in mold expanded product and expanded laminate using the same".

2. When I made the invention disclosed in the Japanese Laid-Open Patent Publication No. 8-174590, it was impossible to prepare prepuffs which have a prefoamed product having a surface crystallinity of lower than 8.6 % and a center crystallinity of lower than 9.0%, which was

disclosed as Embodiment 2 in the above-mentioned publication, although I tried my best to conduct various experiments to produce the prepuffs having the lower crystallinity.

3. That is, it was only possible to produce the prefoamed product having a crystallinity of 8.6 % at the lowest, but not of lower than 8.6% when the invention disclosed in the Japanese Laid-Open Patent Publication No. 8-174590 was made.

4. The prepuffs having a crystallinity of lower than 8.0% was produced for the first time when the invention of U.S. patent application No. 09/856,468 was made.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Date

June 17, 2004

Mr. Takaaki HIRAI

Takaaki Hirai